

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION**

**LIFE IN CHRIST FELLOWSHIP OF  
ABILENE,**

**Plaintiff,**

**vs.**

**ALLIED PROPERTY AND CASUALTY,  
INSURANCE COMPANY and JAMES  
EDWARDS, III,**

**Defendants.**

**No. 1:17-CV-0117-C**

**ORDER ACCEPTING REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Report and Recommendation of the United States Magistrate Judge, in accordance with 28 U.S.C. § 636(b)(1), the Court is of the opinion that the Report and Recommendation of the Magistrate Judge is correct and is accepted as the findings and conclusions of the Court.

Although Defendant filed a timely objection within 14 days from the date of the Report and Recommendation, the Court finds that Defendant's Objections should be **OVERRULED**.<sup>1</sup>

For the reasons stated in the Report and Recommendation of the United States Magistrate Judge, the Court finds that Defendant Allied Property and Casualty Insurance Company has failed to carry its burden to show the existence of federal jurisdiction. Consequently, all doubts are to be resolved in favor of remand. Therefore, the Court **GRANTS** Plaintiff's Motion to

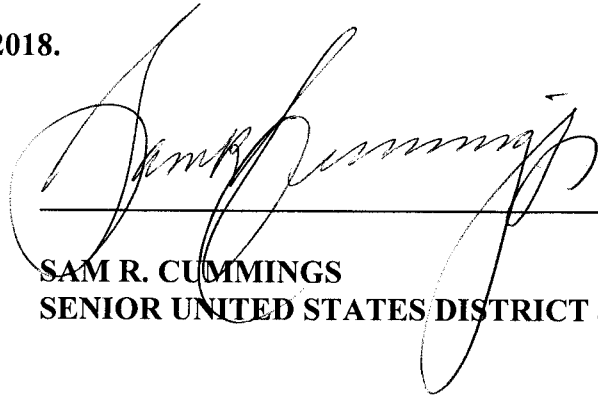
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<sup>1</sup>The Court conducts a *de novo* review of those portions of the Magistrate Judge's report or specified proposed findings or recommendations to which a timely objection is made. 28 U.S.C. § 636(b)(1)(C). Portions of the report or proposed findings or recommendations that are not the subject of a timely objection will be accepted by the Court unless they are clearly erroneous or contrary to law. See *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

Remand pursuant to 28 U.S.C. § 1447(c) and **REMANDS** the above-styled and -numbered civil action to the 42nd Judicial District Court of Taylor County, Texas. The Clerk of the Court shall mail a copy of this Order to the District Clerk of Taylor County, Texas.

**SO ORDERED.** *mb*

Dated this 2 day of March, 2018.



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**SAM R. CUMMINGS**  
**SENIOR UNITED STATES DISTRICT JUDGE**